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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

KENNETH ALLAN ORR,

Defendant and Appellant.

H046114

(Santa Clara County

Super. Ct. No. C1778799)

Defendant Kenneth Allan Orr failed to update his sex offender registration. He had previously been convicted of failing to register as a sex offender. He was charged by felony complaint with failing to update his registration (Pen. Code, § 290.012, subd. (a)), which was a felony due to his prior conviction (Pen. Code, § 290.018, subd. (b)). The complaint also alleged that he had suffered two prison priors (Pen. Code, § 667.5, subd. (b)).

Defendant entered into a plea agreement under which he pleaded no contest to the failure to update count and admitted the prison priors in exchange for being placed on probation for three years with a 90-day jail term that could be served on the electronic monitoring program (EMP). The court accepted his plea and admissions, and it suspended imposition of sentence and granted probation conditioned on the agreed 90

days in jail, which could be served on EMP. The court imposed minimum fines and fees. Defendant timely filed a notice of appeal.

Appointed appellate counsel has filed an opening brief which states the case and the facts but raises no issues. Defendant was notified of his right to submit written argument on his own behalf but has failed to avail himself of the opportunity. Pursuant to *People v. Wende* (1979) 25 Cal.3d 436, we have reviewed the entire record and have concluded that there are no arguable issues on appeal.

The order of probation is affirmed.

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Mihara, Acting P. J.

WE CONCUR:

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Grover, J.

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Danner, J.

People v. Orr  
H046114